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SURGICAL INSTRUMENT SERVICE COMPANY, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SURGICAL INSTRUMENT SERVICE  
COMPANY, INC.,

Plaintiff,

vs.

INTUITIVE SURGICAL, INC.,

Defendant.

Case No. 3:21-cv-03496-VC

**WITHDRAWAL OF STIPULATION  
FOR EXTENSION OF BRIEF  
SCHEDULE REGARDING  
DEFENDANT'S MOTION TO  
DISMISS**

Hearing: September 30, 2021

Time: 2:00 p.m.

Courtroom: 4 – 17<sup>th</sup> Floor

Judge: Honorable Vince Chhabria

Complaint Filed: May 10, 2021

WITHDRAWAL OF STIPULATION  
Case No. 3:21-cv-03496-VC

Pursuant to Local Rule 7-7(e), Plaintiff Surgical Instrument Service Company, Inc. (“SIS”), hereby submits the following Withdrawal of Stipulation for Extension of Brief Schedule Regarding Defendant’s Motion to Dismiss (the “Withdrawal”).

1. On August 6, 2021, Defendant Intuitive Surgical, Inc. (“Defendant”) filed its Motion to Dismiss SIS’s Complaint (ECF No. 37) (the “Motion”).

2. On August 16, 2021, SIS and Defendant filed a Stipulation for Extension of Brief Schedule Regarding Defendant’s Motion to Dismiss (ECF No. 47) (the “Stipulation”), proposing to extend SIS’s time to oppose the motion to August 27 and Intuitive’s reply to September 10.

3. Under Civil Local Rule 7-3, SIS’s Opposition to Defendant’s Motion (the “Opposition”) is due today, August 20, 2021, 14 days after the Motion was filed.

4. SIS filed its Opposition at 5:14PM on August 20, 2021.

5. The Stipulation was not ruled on prior to SIS filing its Opposition, and accordingly, is moot.

NOW THEREFORE, SIS, by and through its counsel, hereby timely withdraws its Stipulation filed on August 16, 2021.

WITHDRAWAL OF STIPULATION  
Case No. 3:21-cv-03496-VC

Dated: August 20, 2021

**HALEY GUILIANO LLP**

By: */s/ Joshua Van Hoven*  
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WITHDRAWAL OF STIPULATION  
Case No. 3:21-cv-03496-VC